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Attorney for Plaintiff

***UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA***

MICHAEL SAVAGE,
aka (Michael Weiner)

No. C 07-06076SI

Plaintiff,

vs.

Counsel on American-Islamic
Relations, Inc., Council on
American Islamic Relations
Action Network Inc., Council on
American Islamic Relations
of Santa Clara Inc., and Does
3-100

Defendants.

**NOTICE OF PLAINTIFF MICHAEL SAVAGE'S
DECISION *NOT TO FILE* AN AMENDED
COMPLAINT AS TO RICO CAUSE OF ACTION**

1 Notice is hereby given that Michael Savage does not intend to file an Amended
 2 Complaint as to the RICO cause of action herein. Plaintiff is aware that this matter is on
 3 calendar on Friday, August 15, 2008 as follows:
 4

5 03:45 PM NO APPEARANCE MATTER:

6 C-07-6076 MICHAEL SAVAGE v. COUNCIL ON AMERICAN-ISLAMIC RELATIONS
 7 Pltf. to Amend Complaint.
 8 To Set Further CMC.
 (if no complaint filed, need to enter judgment)

9 Plaintiff further informs the court and opposing counsel that this decision was not based
 10 upon an analysis of the merits of the Amended Complaint. Plaintiff has prepared a final version
 11 of that Amended Complaint that is 116 pages with approximately 200 pages of exhibits. In the
 12 opinion of plaintiff's counsel, the complaint as written would state a claim under the RICO
 13 provisions of 18 U.S.C. 1962 (c) & (d) and would not be barred by the First Amendment.

14 Plaintiff further informs the Court that the factual content of the Amended Complaint (if
 15 filed) would reflect major factual improvements that clearly document an enterprise, a conspiracy
 16 and a large number of very specific acts by defendant in furtherance of the conspiracy.

17 The unfiled Amended Complaint states specific RICO predicate acts directed at plaintiff
 18 by this defendant causing monetary damage to plaintiff.

19 The Amended Complaint addresses each and every concern set forth in this Court's
 20 written order. The Amended Complaint took over 150 hours to prepare.¹

21 Despite the above, factors arising out of this litigation but taking place (or potentially
 22 having an effect) outside of this litigation, have led plaintiff (reluctantly), not to proceed.

23 If the Court has any questions about the basis of the decision not to proceed, plaintiff is
 24 prepared to fully and immediately provide further explanation. Plaintiff has not done so here
 25 because the context of this document is not to continue the dispute but explain to the Court the

26
 27 ¹Attorney, paralegal and investigative time.

1 basis of plaintiff's decision not to go forward.

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4 Dated: August 14, 2008

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Daniel Horowitz
Attorney for Plaintiff - Michael Savage
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